

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DEVONE WALKER,	§	
	§	No. 460, 2009
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	Cr. ID No. 0809003752
Appellee.	§	

Submitted: February 9, 2010  
Decided: February 18, 2010

**ORDER**

This 18<sup>th</sup> day of February 2010, the Court has considered the notice to show cause issued to the appellant, Devone Walker, on January 22, 2010, for his failure to file the opening brief and appendix that were due to be filed on or before January 4, 2010. Walker has not responded to the notice to show cause and has not filed the opening brief and appendix. Walker's failure to respond to the notice to show cause is deemed to be his consent to the dismissal of this appeal.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b)(2) and 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland  
Justice